

AN SUBSTITUTE ORDINANCE**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEES**

ORDINANCE AMENDING THE 2008 ACTION PLAN OF THE 2005-2009 CITY OF ATLANTA LOCAL CONSOLIDATED PLAN TO AMEND THE NEIGHBORHOOD STABILIZATION PROGRAM BUDGET BY TRANSFERRING TO AND FROM VARIOUS ELIGIBLE ACTIVITIES; TO AMEND THE DEFINITION OF AFFORDABLE RENTS IN THE PLAN; AND FOR OTHER PURPOSES.

WHEREAS, under Title III of Division B of the Housing and Economic Recovery Act, 2008 (HERA) \$12.3 million has been appropriated to the City of Atlanta to fund the CDBG Neighborhood Stabilization Program (NSP) for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties; and

WHEREAS, the NSP funds can only be used in accordance with the regulations and requirements specified under Title II of Division B of the Housing Economic Recovery Act, 2008 (HERA); and

WHEREAS, in the 2008 Annual Action Plan, the City allocated by NSP funds based on eligible activities and proposed development opportunities as defined in the initial NSP application submitted to the U.S. Department of Housing and Urban Development (HUD) by December 1, 2008; and

WHEREAS, in order to ensure that the NSP program funds are obligated by the deadline established by HUD of September 5, 2010, the City has assessed the progress of the NSP developers and subrecipient and has determined the need to reallocate funds to eligible activities as needed; and

WHEREAS, the City desires to amend the 2008 Annual Action Plan for the purpose of reallocating the NSP funds as follows:

Activity	Eligible Activity	Current NSP Allocation	Adjustment	Amended Allocation
Activity A	Financing Mechanisms	\$450,000	(\$40,000)	\$410,000
Activity B	Acquisition/Rehab/Disposition	\$8,900,000	(\$1,925,000)	\$6,975,000
Activity C	Land Banking	\$375,000	\$367,624	\$742,624
Activity D	Demolition	\$159,474	\$142,376	\$301,850
Activity E	Redevelopment	\$1,200,000	\$1,455,000	\$2,655,000
ADMIN	Planning And Administration	\$1,231,608	None	None
Total		\$12,316,082		\$12,316,082

WHEREAS, the City also desires to amend the 2010 Annual Action Plan for the purposes of clarifying and redefining the definition of affordable rents for the Neighborhood Stabilization Program for households with incomes are greater than 80% but not exceeding 120% of the area median income, so that the calculation for affordable rents does not exceed 30 percent of the adjusted gross income of a family; and

WHEREAS, under the NSP program guidelines, a fifteen (15) day public comment period is required before amending a local consolidated plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

Section 1: That the 2010 Neighborhood Stabilization Program be and is hereby amended in program element **“Activity A – Financing Mechanism”** by striking the amount \$450,000.00 and inserting in lieu thereof the amount of \$410,000.

Section 2: That the 2010 Neighborhood Stabilization Program be and is hereby amended in program **“Activity B- Acquisition/Rehab/Disposition”** by striking the amount \$8,900,000.00 and inserting in lieu thereof the amount of \$6,975,000.

Section 3: That the 2010 Neighborhood Stabilization Program be and is hereby amended in program **“Activity C- Landbanking”** by striking the amount \$375,000.00 and inserting in lieu thereof the amount of \$742,624.

Section 4: That the 2010 Neighborhood Stabilization Program be and is hereby amended in program **“Activity D- Demolition”** by striking the amount \$159,474.00 and inserting in lieu thereof the amount of \$301,850.

Section 5: That the 2010 Neighborhood Stabilization Program be and is hereby amended in program **“Activity E- Redevelopment”** by striking the amount \$1,200,000.00 and inserting in lieu thereof the amount of \$2,655,000

Section 6: That the Neighborhood Stabilization Program “Affordable Rents” definition be and is hereby amended to state that *“Affordable Rents are defined as a rent that does not exceed the Fair Market Rents as established U.S. Department of Housing and Urban Development for households whose income is equal to or less than eighty (80%) of Area Median Income (AMI) or a rent that does not exceed 30 percent of the adjusted gross income of a family whose income equals 81-120 percent of AMI”*.

Section 7: That the Mayor is authorized to enter into NSP contractual agreements and execute NSP contractual amendments revising the total amount authorized as follows:

	PTAEO						FDOA					
Contractor	Project Number	Task No.	Award Number	Exp. Acct.	Owning Org.	Amount	Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
Housing & Urban Development (HUD) NSP Contracts												
Resources for Residents and Communities	25210408	102	220131844	5239004	COA	\$950,000	2201	250305	5999999	7310000	210408	31844
Partnership for the Preservation of Pittsburgh	25210408	104	220131844	5239004	COA	\$1,250,000	2201	250305	5999999	7310000	210408	31844
Edgewood Townhouses	25210408	105	220131844	5239004	COA	\$1,000,000	2201	250305	5999999	7310000	210408	31844
Real Estate Alliance Partners	25210408	106	220131844	5239004	COA	\$1,630,000	2201	250305	5999999	7310000	210408	31844
Colquitt Construction	25210408	109	220131844	5239004	COA	\$1,000,000	2201	250305	5999999	7310000	210408	31844
Pohl Real Estate	25210408	110	220131844	5239004	COA	\$800,000	2201	250305	5999999	7310000	210408	31844
University Community Development Corporation	25210408	111	220131844	5239004	COA	\$600,000	2201	250305	5999999	7310000	210408	31844
Achor Center	25210408	112	220131844	5239004	COA	\$925,000	2201	250305	5999999	7310000	210408	31844
City of Atlanta, Bureau of Code Compliance	25210408	113	220131844	5239004	COA	\$301,850	2201	250305	5999999	7310000	210408	31844
City of Atlanta/Fulton County Land Bank Authority	25210408	114	220131844	5239004	COA	\$1,467,624	2201	250305	5999999	7310000	210408	31844
HUD NSP Contract Amendment Total: \$9,024,474												
Department of Community Affairs (DCA) NSP Contracts												
Urban Residential Finance Authority	25210568	102	250141869	5239004	COA	\$138,850	2501	250305	5999999	7310000	210568	41869
Charis Community Housing	25210568	104	250141869	5239004	COA	\$500,000	2501	250305	5999999	7310000	210568	41869
Habitat for Humanity	25210568	106	250141869	5239004	COA	\$365,000	2501	250305	5999999	7310000	210568	41869
City of Atlanta, Bureau of Code Compliance	25210568	107	250141869	5239004	COA	\$146,150	2501	250305	5999999	7310000	210568	41869
City of Atlanta/Fulton County Land Bank Authority	25210568	108	250141869	5239004	COA	\$1,100,000	2501	250305	5999999	7310000	210568	41869
DCA Contract Amendment Total: \$2,250,000												

Section 8: That the City Attorney is directed to prepare the appropriate contracts for execution by the Mayor to be approved by the City Attorney as to form.

Section 9: That the contract shall not become binding on the city and the City shall incur no obligation or liability under the same until it has been signed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form, and delivered to the contracting party (s).

Section 10: That all ordinance and resolutions and parts of ordinance or resolutions in conflict with this ordinance are hereby waived to the extent of conflict.